



Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, FL 33701

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May 23, 2006
FB06-022

Proposed Rule to Implement Reef Fish Amendment 18A, Including Requirements for Vessel Monitoring Systems and Sea Turtle Bycatch Release Gear, is Available for Public Review and Comment

The Gulf of Mexico Fishery Management Council has submitted Amendment 18A to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP) for review by NOAA Fisheries Service. NOAA Fisheries Service announced the availability of Amendment 18A for public comment on April 26, 2006 (71 FR 24635).

NOAA Fisheries Service is requesting comments from the public regarding the proposed rule for Amendment 18A published in the *Federal Register* (71 FR 28842, May 18, 2006). The proposed rule would resolve several issues related to monitoring and enforcement of existing reef fish regulations, update the framework procedure for setting reef fish total allowable catch (TAC), and reduce bycatch mortality of incidentally caught endangered sea turtles and smalltooth sawfish. Written comments on the proposed rule must be received no later than 5 p.m., eastern time, on July 3, 2006. See the **Addresses** section at the end of this bulletin for information on where and how to submit comments.

Summary of Proposed Rule

Amendment 18A proposes to resolve several issues related to monitoring and enforcement of existing reef fish regulations. Measures to accomplish this reduction are to:

(1) Require a NOAA Fisheries Service-approved vessel monitoring system (VMS) on board vessels with federal commercial permits for Gulf reef fish, including charter vessels/headboats that also have a commercial reef fish permit (VMS would be required 120 days after the final rule is published);

(2) prohibit vessels from retaining reef fish caught under the recreational size and bag/possession limits when commercial quantities of Gulf reef fish are onboard;

(3) adjust the number of persons allowed onboard a vessel issued a certificate of inspection when the vessel has both commercial reef fish and charter vessel/headboat permits and is fishing commercially;

(4) prohibit use of Gulf of Mexico reef fish, except sand perch or dwarf sand perch, as bait in any commercial or recreational fishery in the exclusive economic zone of the Gulf of Mexico, with a limited exception for crustacean trap fisheries;

(5) require owners and operators of vessels with Gulf of Mexico reef fish commercial or charter vessel/headboat permits to comply with sea turtle and smalltooth sawfish release protocols, possess on board specific gear to ensure proper release of such species, and comply with guidelines for proper care and release of incidentally caught smalltooth sawfish and sea turtles;

(6) revise the TAC framework procedure to reflect current practices and terminology; and

(7) change the permit application process for all permits to an annual procedure, as well as simplify the income qualification documentation requirements for fisheries having income criteria.

Answers to frequently asked questions on VMS and endangered sea turtle and smalltooth sawfish release protocols can be found on the Southeast Regional Office's Web page at <http://sero.nmfs.noaa.gov>.

Addresses

The FMP, which includes a Regulatory Impact Review, Initial Regulatory Flexibility Analysis, Social Impact Assessment, and a Fishery Impact Statement, is available from:

Gulf of Mexico Fishery Management Council
2203 N. Lois Avenue, Suite 1100
Tampa, Florida 33607
Phone: 813-348-1630; fax: 813-348-1711
e-mail: gulfcouncil@gulfcouncil.org

Written copies of the proposed rule may be obtained from:

NOAA Fisheries Service Southeast Regional Office
Sustainable Fisheries Division
263 13th Avenue South
St. Petersburg, Florida 33701

Electronic copies of the proposed rule may be obtained from the *Federal Register* website at <http://www.gpoaccess.gov/fr/index.html>.

Comments regarding the proposed rule should be sent to Mr. Peter Hood at NOAA Fisheries Service Southeast Regional Office at the address provided above. Comments may also be submitted via fax to 727-824-5308 or by e-mail to 0648-AN09.Proposed@noaa.gov. For e-mail comments, include in the subject line the following identifier: 0648-AN09.

All comments on the proposed rule must be received before 5:00 p.m., eastern time, on July 3, 2006. All comments received by NOAA Fisheries Service on the FMP or the proposed rule will be addressed in any final rule that is published to implement the actions proposed in the FMP.

NOAA Fisheries Service is dedicated to protecting and preserving the nation's living marine resources and their habitats through scientific research, management, and enforcement. NOAA Fisheries Service provides effective stewardship of these resources for the benefit of the nation, supporting coastal communities that depend upon them, and helping to provide safe and healthy seafood to consumers and recreational opportunities for the American public.

NOAA, an agency of the U.S. Department of Commerce, is dedicated to enhancing economic security and national safety through the prediction and research of weather and climate-related events and providing environmental stewardship of the nation's coastal and marine resources. Through the emerging Global Earth Observation System of Systems (GEOSS), NOAA is working with its federal partners, over 60 countries and the European Commission to develop a global network that is as integrated as the planet it observes, predicts and protects.

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FB06-022